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Chair

Mr. Anthony Housefather

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● (1540)

[*English*]

The Chair (Mr. Anthony Housefather (Mount Royal, Lib.)): Good afternoon, everyone.

We're going to call this meeting of the Standing Committee on Justice and Human Rights to order as we reconvene on our study on human trafficking in Canada.

Before I introduce the witnesses, we have an announcement that one of our interpreters today, Ms. Carole Savard, is retiring after 35 years of service.

[*Translation*]

So I would like to thank Ms. Savard for all her work.

Some hon. members: Hear, hear!

The Chair: Ms. Savard, many thanks for what you have done for us. I wish you a happy retirement.

[*English*]

Now let me introduce the witnesses. We will start with the witnesses who are on video conference. Otherwise, we'll go by the agenda.

We do the video conference first because we definitely don't want to lose you at some point and then not hear from you.

From Victoria, B.C., we're joined today by the Peers Victoria Resources Society, with Ms. Sadie Forbes and Ms. Rachel Phillips.

Welcome.

Here in the room, appearing as individuals, we have with us Dr. Julie Kaye, Dr. Emily van der Meulen, and Ann De Shalit.

Welcome, all of you. We'll go in that order for the speeches.

Then we'll go to Thrive, with Ellie Jones and Melendy Muise. From Tungasuvvingat Inuit, we're joined by Kathy Morgan and Jennisha Wilson.

Welcome, all of you.

If it's okay with everyone, we're going to start with Peers and Ms. Forbes and Ms. Phillips.

If you can, please give us your statement within eight minutes.

Dr. Rachel Phillips (Executive Director, Peers Victoria Resources Society): My name is Rachel Phillips. I'm the Director of Programs at Peers Victoria. I want to tell you a bit about Peers and then more specifically address the issue of sexualized violence.

Peers Victoria opened in 1995. We're located on Songhees and Esquimalt territory. About 80% of those we serve identify as women, 15% as men, and 3% as transgender, queer, or two spirit. The average age of people at Peers is the late thirties. Just over a third identify as indigenous.

We provide services to 500 to 600 individuals a year. We have a wide variety of programs, from housing, to health care, to night outreach, as well as programs specifically for agency and independent escorts, men, and indigenous people. We require a wide variety of programs because those who access our services are diverse and have differing support preferences.

Our values prioritize meeting people where they are and harm reduction. Also, throughout our organization, we have people who represent various sectors of the sex industry—that's in terms of our staff and volunteers.

My point in drawing attention to this diversity is to set the context for why it is fundamentally problematic to think that Criminal Code provisions regarding trafficking can or should be applied in a broad way to sex work or trade. I'd like to detail a few key issues.

People in the sex industry do not uniformly agree that they are exploited, and they infrequently identify as trafficked. Therefore, it is not conceptually or definitionally valid to treat these concepts as the same.

The misapplication of concepts of trafficking and exploitation to the sex industry results in the inability to properly measure the prevalence of trafficking, and this leads to problems in effective allocation of public resources.

The supposition—this is my third point—that all sex industry involvement is exploitative or potentially trafficking supports the deployment of police and other authorities into areas of sex work/trade where little or no coercion or exploitation has taken place. Invasive enforcement against an already marginalized population, low conviction rates, increased fear of police, and under-reporting of crimes are just a few of the negative effects.

I want to turn my attention to the specific context in Victoria, where we have been working with community partners to address sexualized violence. It is widely known that the best practice for addressing intimate partner, gender, and sexualized violence is to respect the perspectives of the person who has been harmed. People are aware when their consent has been violated, and they require autonomy over what supports they wish to access. This principle must be applied to violence experienced in the sex industry as well.

At Peers we take reports from people who have experienced crimes, and we compile and circulate a bad date and aggressor sheet. This work is done in multiple cities across Canada. We work specifically with two Victoria police liaison officers who have experience in working with people in the sex trade. If a sex trade worker is willing to talk to the liaison officer about a crime or other concern, it is very rare that they are willing to proceed beyond that. It is well known that those who have experienced sexualized violence face further harms in the justice process. This is no different for people in the sex industry, and in fact it is most often worse, because sex workers face the additional insult of not having their perspective validated, or having information exposed publicly that they wish to keep private.

We are able to do this violence prevention and response work in partnership with police because the police locally have not widely applied Criminal Code provisions related to prostitution since the late 1990s. In the absence of Criminal Code enforcement, combined with respecting the perspective of the person reporting a crime, we have opened up opportunities for us to address violence in a more targeted and safer way.

In sharing this, I don't wish to suggest that addressing sexualized violence is the bulk of our work at Peers or that this work is unique to the sex industry; rather, violence prevention is one aspect of our continuum of supports, and that continuum very importantly includes services related to poverty reduction and housing security, access to health care, and access to non-stigmatizing support settings.

Thank you.

● (1545)

The Chair: Thank you so much.

Ms. Sadie Forbes (Member, Board of Directors, Peers Victoria Resources Society): Thank you for the opportunity to speak today.

My name is Sadie Forbes. I am a member of the Peers board of directors.

You should be hearing from the folks most affected by the conflation of sex work with human trafficking: sex workers. However, and we're just speaking hypothetically here, if I were a sex worker, I would not feel comfortable identifying myself in front of this committee. Because of the stigma they endure, most sex workers I know would decline to speak here, where their names and statements will be a matter of public record. I would like you to consider how this process selects out the very people you most need to hear from, and I would like to applaud the brave experiential folks who have spoken anyway.

First of all, sex work and human trafficking are not the same thing. Saying that everyone who has sex for money is trafficked is as silly as saying that the students my dad hires to work on his farm in the summer are trafficking victims. Yes, trafficking occurs in both the sex and the agriculture industries. Let's address it. We need strong labour protection for all workers.

The conflation of sex work, human trafficking, and exploitation puts sex workers at risk. Overly broad misuse of anti-trafficking initiatives violates the rights of sex workers to safe working conditions. Many sex workers rely on third parties in their work to help communicate with clients or to advertise their services. Third parties can be escort agency or massage parlour owners and managers, drivers, security staff, administrative assistants, intimate partners, and colleagues in sex work. When all sex work is exploitation or trafficking, third parties working with sex workers can be misidentified as traffickers rather than co-workers, employers, or employees. This situation pushes sex workers to work in isolation, which is neither desirable nor safe for some individuals.

Depriving sex workers of their labour rights puts them directly in danger. The exchange of sex for money is not inherently violent. When one of my friends consents to sell or trade sex, they have not consented to violence. However, predators are aware that sex workers have been isolated and stigmatized. Predators posing as clients take advantage of this, as we have seen over and over again.

Many sex workers travel for their jobs. My friends' work may take them into other municipalities and provinces or overseas. A lot of people travel for work. When sex work is conflated with trafficking, and when anti-trafficking initiatives are applied too broadly, sex workers can be charged with trafficking themselves. This happened to a woman in Alaska in 2013; she was charged with trafficking for advertising her own services on craigslist. Treating all sex workers as real or potential victims of sex trafficking denies the agency, sexual autonomy, and capability of folks who work or trade in sex.

When a real distinction is made between sex work and sex trafficking, sex workers can choose the work environments that are right for them. When their agency and sexual autonomy are respected by their government, stigma against sex workers is lessened, predators won't see them as such easy victims, and, if violence does occur, sex workers can feel confident in reporting it to the police. Also, the police can direct their resources against actual predators and actual traffickers.

Thank you.

● (1550)

The Chair: Thank you so much.

Just to reassure you, the committee did a cross-Canada tour where we met with people in private. We met with many dozens of sex workers and groups representing sex workers, including in Vancouver, really close to you. We do understand that.

Ms. Sadie Forbes: Thank you. I was actually there.

The Chair: We understand that issue, but thank you for bringing it to our attention.

We'll now move to Dr. Kaye.

Professor Julie Kaye (Assistant Professor of Sociology, University of Saskatchewan, As an Individual): Thank you for inviting me to share. I want to thank my fellow panellists, as well, for their insights.

What I would like you to take away from my research today is some of the complexity of the context that we're living in, and that within this context the ability for legislation to worsen or even become the problem is apparent. We need to think outside the restricted box of legal interventions in order to address complex social problems without creating more harms for affected individuals.

I know you've heard from other groups who are working on the front lines. They have given some practical and legal recommendations around this, such as Swan in Vancouver, Peers whom you just heard from, the Canadian Alliance for Sex Work Law Reform, including Butterfly, Maggie's Toronto, and others.

What my research highlights is the importance of some of these recommendations in a context where anti-trafficking legislation and its enactment through investigations and enforcement is causing additional harms to the very people it is meant to protect, especially harmful effects towards indigenous and racialized women, and women with precarious immigration status.

To position myself within this work, I'm a non-indigenous settler person from Treaty 6 territory. By identifying as a settler, I don't simply mean non-indigenous. Like many non-indigenous people living in Canada, my life and my family relations are interwoven with the first people of this land, particularly Cree and Métis territories, while also imbued with a colonial history. By settler, what I primarily mean is someone who benefits from the privileges of colonial dispossession. With that, I want to say thank you to the indigenous people of this territory as we share as guests on this land.

Today I'm going to be speak from research that informs my book, *Responding to Human Trafficking*,which was published by the University of Toronto Press in 2017. The primary source of data informing my discussion comes from 56 interviews, as well as some focus groups conducted in Calgary, Vancouver, and Winnipeg. I engaged front-line workers, some formerly trafficked persons, some individuals working in sex industries, government officials, non-government representatives, law enforcement representatives, basically anyone directly involved in counter-trafficking work or areas affected by anti-trafficking responses.

I'm also a community-engaged researcher. My work is relationally accountable to both indoor and street-involved sex working individuals, as well as a number of community groups working to reduce harms, including harms produced by legislated inequalities, as well as families and communities related to missing and murdered indigenous women, trans, and two-spirit persons.

In this engaged work, we're exploring anti-violence strategies that build on the knowledge of people engaged in trading sexual services. My hope in sharing with you today is to invite conversation about the possibilities and harms of anti-violence, especially anti-trafficking strategies, in a context of settler colonialism and its ongoing everyday lived expressions of violence.

My work is situated in what I see as the elephant in the room, or the elephant that we're all touching. We can feel or see particular parts, but we struggle to see the full image. The elephant, I argue, is the ongoing struggle, the wait, the discomfort of living and developing policy in a settler colonial context, which includes patriarchy, sexism, racism, classism, heteronormativity, ableism, ageism, whoreaphobia, and stigmatization of individuals engaging in sex work. Too often legislation that is meant to protect vulnerable individuals reinforces these structural and systemic forms of inequality.

As Rita Dhamoon has identified in the context of settler colonialism, we're all systematically, even if unintentionally, operating within, across, and through a matrix of interrelated forms and degrees of penalty and privilege. Anti-trafficking legislation, and especially anti-prostitution legislation, has occupied a particularly harmful position within this persistent matrix of ongoing colonial relations. I'm grateful to this committee's openness to take stock of what we mean by anti-trafficking and the effects of anti-trafficking.

With the adoption of the national action plan to combat human trafficking, targeted resources have been allocated to national anti-trafficking responses. A significant portion of this has been directed towards criminal justice-based initiatives. Human trafficking has clearly become an important political priority for lobby and interest groups from a variety of perspectives, but I caution that over-enthusiastic responses to human trafficking have been proven to have some particularly harmful unintended consequences. Too often such policies emerge from a single story that creates no space for the existence of alternate experiences.

The story of anti-trafficking is particularly powerful, precisely because it's been able to unite a variety of conflicting political agendas. Policies based on depictions of rescue, need, and intervention too easily unify the convictions of many different, and even opposed, social groups. As Jeffrey has said, human trafficking has become a space where "right-wing religious men have joined the radical feminist campaign".

● (1555)

One of my favourite Nigerian novelists, Chimamanda Adichie, discusses the dangers of a single story in one of her well-known TED Talks. She warns that presenting complex narratives as single stories is especially dangerous because single stories leave no possibility for feelings more complex than pity, no possibility of a connection as human equals. She further warns that it's impossible to talk about the single story without talking about power. How they are told, who tells them, when they are told, how many stories are told are really dependent on power. The consequence of the single story is this: it robs people of dignity.

Stories matter, but many stories matter. Bandwagon responses or policy-driven or donor-driven responses to violence continue to reproduce the very structures in psyche that underpin the violence in the first place. We see policy recommendations advocating for stricter border controls, border securitization, criminalization, deportation, and surveillance of our neighbours and individuals within our workplaces. We see calls to action to address the trafficking of indigenous women as a legacy of colonization that ignore the ongoing conditions of indigenous women in the midst of living and resisting settler colonial domination.

We can start to see some of them as we trace the shift that we've had in anti-trafficking discussions from a focus on international to domestic or internal trafficking.

As you might be aware, early trafficking frameworks were informed by stereotypical images of international trafficking. Trafficked women became legible and read only in relation to sexual slavery and forced prostitution. Based on this reading, criminal justice interventions and police raids were deemed the appropriate mechanisms of response. Migratory restrictions were interpreted as necessary prevention strategies. As one law enforcement representative stated, "I know personally for myself, I am responsible for removing dozens upon dozens of people that were victims of trafficking and we dealt with them as immigration violators and we removed them."

● (1600)

It's important to note the official here is only talking about cases that narrowly fit into a trafficking framework. You can imagine the implications for individuals who fall outside such narrow victim labels.

Security was certainly prioritized in anti-trafficking raids, such as the particularly stark raid that saw workers handcuffed and televised in Vancouver in 2006. They also continue in approaches such as Operation Northern Spotlight. Despite early critiques of such harmful efforts, the Canadian anti-trafficking gaze expanded beyond immigration and foreign policy concerns to emphasize domestic or internal trafficking in a settler colonial context.

One anti-trafficking advocate defines the shift that took place:

> We started to shift our focus, certainly on international trafficking—the movies, the kidnappings, you know, that's certainly present but to a bigger degree, and a more important extent, to get across to the public that trafficking is happening in our own backyards.

As you can hear, internal trafficking is framed in reaction to stereotypical concepts of international human trafficking. From this standpoint the aim was to counteract the apathy of the criminal justice system toward indigenous women's bodies. I would argue that the criminal justice system has hardly been apathetic toward indigenous women. This is clearly demonstrated by the stark overrepresentation of indigenous women incarcerated in Canada.

Nonetheless, the idea was that a trafficking lens could undermine colonial-driven images that portray indigenous women and girls as perpetrators of crime rather than as victims. Internally, the victim label associated with trafficking was bolstered as a mechanism to resolve racist and colonial constructs of indigenous women. These interpretations ignore the settler colonial forms of state control and how they are particularly evident in Canada's role in and our response to violence against indigenous women. The very means of trafficking identified in the United Nations protocol definition of human trafficking are precisely the means by which the settler colonial state was formed.

Canada, alongside other settler colonial nations, was premised on forced movement, coerced labour, fraudulent dislocations, sexualized violence, and varying forms of abuses of power and exploitation that were legislated through the Indian Act and through Canadian law. The abolition of some indigenous ceremonies, for example, was seen as necessary for the protection of native women, for the prevention of prostitution, and the preservation of white settlement.

As a front-line worker from an indigenous-led organization indicates, "indigenous women have been trafficked right from the beginning of colonization".

While many of us involved in anti-trafficking advocacy assume ourselves to be outside the violence of colonization, often by the very virtue of addressing the legacies of colonization, by emphasizing at risk subjects as the objects of our concerns, anti-trafficking naturalizes and reinforces the very space of dispossession where individuals vulnerable to trafficking emerge.

The Chair: Would you wrap up, please.

Prof. Julie Kaye: Okay, I'm very close.

The front-line worker further indicated that they're vulnerable to the charges that come with human trafficking. The worker said, "It's great for criminalization. That's...part of the history as well. [That] significant criminalization of a racialized group.... We can't have people saving us anymore."

This criminalization occurs alongside a strong mistrust of the criminal justice system reported by indigenous women. Women and girls also in sex industries particularly report experiencing derogatory or degrading interactions with police and criminal justice actors.

It was in this context that policies and responses to trafficking must be attentive to not further criminalize and reproduce inequalities experienced by indigenous and racialized women. As my mentor Patricia Monture indicated, every oppression that aboriginal people have survived has been delivered up to us through Canadian law.

Like the legal system in other colonial systems, involvement in sex industries is a space where colonization is both reproduced and resistant. However, sex workers are particularly stigmatized in their resistance to colonial violence and blamed for perpetuating colonial violence.

In summary, in response to the legislation, particularly the Protection of Communities and Exploited Persons Act, but also in definitions of exploitation, what we have found is rather than reduce violence, criminalization reproduces another version of a long history of colonial state violence executed against indigenous women for their own good. There's real and disproportionate violence faced by women engaged in sex industries and by indigenous women and racialized women within this country, and much of this violence comes from the systemic inequalities. We must be attentive to not further produce such inequalities through ongoing forms of criminalization within our legislation.

● (1605)

The Chair: Thank you very much.

We'll hear from Dr. van der Meulen, and then Ms. De Shalit.

Dr. van der Meulen.

Professor Emily van der Meulen (Associate Professor, Department of Criminology, Ryerson University, As an Individual): We're presenting together, so it makes your life easier.

The Chair: You're presenting together. Okay, perfect. It's whoever wants to go first, then.

Prof. Emily van der Meulen: I will go first.

I want to begin by thanking the committee for inviting us to come and present on this important topic. It's great to be here. I also want to echo Julie's acknowledgement of the land that we're on today.

I'm an associate professor of criminology at Ryerson University and I've been engaged in research into sex work and human trafficking for nearly 15 years now. I've conducted several empirical and social scientific studies on the topic. My findings show essentially some of the same findings that Julie also just discussed, which are that laws and policies set up to reduce harm to people who are marginalized within the sex industry often instead result in increasing those harms.

I've also been quite involved in various capacities with sex worker groups and organizations over this time. I'm co-presenting here with Ann De Shalit, who is a doctoral student in Ryerson's policy studies program. She's currently conducting research on Ontario's strategy to end human trafficking. She also has years of experience working with non-governmental organizations on various issues related to immigration enforcement and access to services for undocumented migrants. Together, our knowledge is derived from both our grounded work within the communities and our academic experiences.

Over the past few months, you've heard from quite a few individuals, organizations, and agencies who have made claims about the scale or magnitude of human trafficking in Canada. Sometimes this is based on police or court data; other times it's based on witnesses' testimonies claiming that they've saved hundreds, or even at times, thousands of trafficking victims.

Some have actually estimated that the number of trafficked women in Canada is in the tens of thousands or that upwards of 70% or even 80% of women in the sex trade are trafficked or exploited. Ann and I are going to argue that it's necessary to think very critically about these kinds of claims. What's important is to look in more depth at how these numbers are derived and also to examine the ways in which these individuals, agencies, and organizations are actually defining both human trafficking and sexual exploitation to begin with.

Looking at the definitions of exploitation and trafficking is not just an academic exercise. It's not just a conceptual thing. As you know, definitional differences have enormous policy implications. They can result in significant hardships to the people whom we're aiming to help, as Julie also acknowledged, while skewing funding priorities in certain directions, particularly towards law and order frameworks and away from human rights approaches.

Currently, when media, policy-makers, and others refer to human trafficking, they're virtually always referring to instances of exploitation within the sex industry only. We see that across the board. Even this committee has heard almost exclusively about what is popularly understood as sex trafficking. Within this, the focus tends to be on indigenous or migrant women and girls. This limited lens neglects to consider the violence and coercion, abuse, exploitation, forced or coerced migration, and bondage that happens within a range of industries including agriculture and manufacturing. It also happens in Canadian homes with domestic labourers, including at times women who are are here on temporary foreign worker visas.

It is also concerning that while human trafficking is being increasingly defined in very narrow terms, that is, as sex trafficking or even simply as sexual exploitation, NGOs and state agencies are simultaneously expanding how they interpret or understand what constitutes sexual exploitation to begin with. More and more activities, types of labour, and even relationships within the sex trade are being deemed exploitative and thus considered evidence of trafficking. Also, more and more individuals who do not identify as victims of trafficking are being automatically labelled as such by police or NGOs, or they're being de facto forced to identify in this way.

For example, many sex workers, just like many workers in most fields, have some kind of manager or supervisor or somebody else who is influencing the kind of work that they're doing, for example, arranging schedules, engaging in advertising, booking hotel rooms, organizing transportation, and so on. Since a third party is involved in these activities, however, some organizations or police will automatically define that sex worker as sexually exploited and therefore a victim of trafficking. This is especially the case if that sex worker happens to be indigenous or a migrant.

If you're looking specifically at migrant sex workers, what we've seen is that when they're caught up in an anti-trafficking raid at their workplace, they essentially have two options: one, identify as a victim of trafficking and potentially receive a temporary resident permit; or two, don't identify as a victim of trafficking and receive criminal charges and possibly be deported. Given those options in that context, of course many are going to say that they're victims of trafficking. Even for those who maintain that they are not a victim of trafficking, however, we still see police services imposing the label regardless, suggesting the victim is just too afraid to admit it, that she's protecting her trafficker, or that she just doesn't understand her victimization. A Crime Stoppers pamphlet on trafficking, for example, says that one of the key ways you can identify a victim of trafficking is that they themselves may not identify as a victim of trafficking.

● (1610)

There is absolutely no way out of this logic loop for marginalized women. In some cases, individuals may well be experiencing situations of violence, coercion, or some kind of problematic labour condition, but in other cases, that's not the case. Defining them as trafficked or de facto forcing them to self-identify in this way not only increases the statistics on trafficking, but also leads to unwanted state intervention, police or border security, which can then result in a series of harms and human rights abuses.

Conflating of trafficking, sexual exploitation, and sex work, as acknowledged earlier by peers, occurs in part because people don't understand how labour is organized within the sex industry or because they are morally or politically opposed to the commercialization of sexual services. Some of your previous witnesses have suggested that this overemphasis on sex trafficking is in fact justified because the majority of human trafficking criminal charges and court cases are indeed related to sexual exploitation.

We argue instead that this disproportionality is based on police and immigration authority priorities. State agents target certain types of activities and certain individuals, often based on an anti-sex work agenda, while neglecting others. This then leads to inflated statistics on the numbers of trafficking victims and results in skewed understandings and misdirected policies, which can then harm all sex workers, whether experiencing exploitation or not.

Definitional issues and inflated statistics also play out at the community level, which Ann will show, in particular with organizations that are funded by the province to engage in anti-trafficking programming.

Ms. Ann De Shalit (Ph.D. Candidate, Policy Studies, Ryerson University, As an Individual): In Ontario, for instance, most of the organizations funded by the Ministry of Community and Social Services for anti-trafficking activities focus primarily on sexual exploitation. They provide important services, like housing, mental health supports, legal advice, employment opportunities, and education. These organizations, which serve marginalized populations, particularly in the areas of sexual assault and violence against women and girls, are often starved for resources. When the government allocates millions of dollars towards fighting trafficking, it reshapes the priorities and approaches of these organizations.

To make the government's funding mandate fit their needs and vice versa, my early findings demonstrate that organizations are having to redefine some of their existing or incoming clients, who often experience a form of exploitation, violence, or coercion as victims of trafficking, or to redefine their programs as trafficking-specific services. This is often done with the intention of casting a wider net of support than was possible before the funding was available. However, as a result, it also inflates the scale of human trafficking in Canada.

For instance, one organization, which is not an indigenous organization, explains, "We offer the services to every indigenous woman.... We said to the ministry that you need to let us adapt the definition to fit our needs. We recognize that indigenous women are at high risk, and homeless women are at risk. So every homeless indigenous woman who comes to our shelter, we perceive her as being at risk of human trafficking or of sexual exploitation.... These women aren't being brought from hotel to hotel, but they are being sexually exploited from couch to couch, so for us, that's the definition that fits our needs."

To be clear, my research shows that most organizations don't usually deny services to people who don't self-identify as victims of trafficking, but they will still label them as such in their funding reports and for other purposes, such as educational and promotional materials. As one organization notes, "We don't request that women identify as being trafficked. That's an intimidating label to give yourself. We will support every woman with the premise that she is at risk of being trafficked if she hasn't been already."

One service provider even suggests, "Any young girl is at risk nowadays. Any woman is at risk because we're vulnerable to wanting to be loved and cared for."

We can see here how the definition of "victim of trafficking" is socially and politically constructed and reinforced through funding priorities. There are exceptions to this, and certainly not all organizations funded by the government are imposing the trafficking label irresponsibly. Overall, however, my findings indicate that for cash-strapped agencies, the possibility of extra money or another grant can be understandably very enticing, especially since these extra resources could mean the continuation of one of their current programs, or even additional staff contracts. It becomes a cyclical issue. Organizations receive funding, which allows them to continue to engage in important work, but must, bureaucratically, define their clients as trafficking victims in order to do so. This allows government funders to show a high level of success based on organizational reporting data on the numbers of trafficking victims served. Funders are then more likely to continue allocating resources to those organizations accordingly. These numbers in turn feed back into increased police resources and expansion of criminalization, which has its own detrimental impacts, as you've heard from others here today.

Thank you.

● (1615)

The Chair: Thank you very much.

We'll now go to Thrive.

Ms. Melendy Muise (Support Specialist, Coalition Against the Sexual Exploitation of Youth, Thrive): Thank you for the opportunity to be here and to speak with you today.

My name is Melendy Muise, and I'm the support specialist for CASEY, the Coalition Against the Sexual Exploitation of Youth. I'm also a survivor of sex trafficking as a young teenager.

We currently have human trafficking awareness campaigns happening across the country, with posters and other media reflecting women and children in cages, women tied to beds, or images of cargo containers filled with women and children. Unfortunately, these images do not represent the reality of people being trafficked. Most trafficked people would assume they just don't qualify as victims because they have not been kidnapped or sent to a foreign country in a shipping container. The large majority of human trafficking, as we know, is domestic. People always ask me what human trafficking looks like here in Canada, and get confused when I tell them it looks nothing like what they've been told by any of this messaging. Our messaging to young people and the public in general must be clear and reflect the reality of human trafficking in Canada so people can be better aware of how to identify and possibly protect themselves or others from trafficking.

We cannot have full awareness of this issue without looking at demand. We need to look at the profiles of the men who purchase sex. In 2014, there was a prostitution offender program in Edmonton. This program and others like it were found to be successful at curbing sexual exploitation. It ran four to seven times per year, with each group lasting eight hours. The participants could have their charges withdrawn. They must have had no prior history of violence. They were provided information on laws, STIs, and healthy relationships. They heard the stories of three survivors and people living in the communities where the exploitation happens.

Here are the results of one class of a group of 20: a 3% less re-arrest rate; 18 out of 20 men never purchased again; 70% of the men identified that they had behaviours that concerned them; 29% knew they were breaking the law but did it anyway; 12% admitted to buying sex before. The outcomes tell us that these men may have just participated to avoid having charges related to the sex trade on their record. They also tell us that once they knew the reality of what this looked like for people with lived experience and what behaviours they themselves had that contributed to the need to buy sex, they did not find the need to buy again.

How do we prevent trafficking? To do that, we need to talk about what makes a person more at risk: things like child sexual abuse, homelessness, being a runaway, substance abuse, and poverty. The interesting thing about these factors is that they also contribute to a person being more likely to purchase sex or become a trafficker themselves. If we become better at addressing the vulnerabilities and the root causes of all three parties involved, we will start to see a decline in exploitation and trafficking.

Several reports I've read say that survivors of trafficking have proven to have much higher rates of PTSD than military vets. This should put things into perspective. The pro-sex work movement's not acknowledging the harm being done is negligent and has had some serious implications for victims and the survivor community. Often the pro-sex movement will deny that survivors' experiences are real, or that they are isolated to just a few of us. On the other hand, the survivor community does not deny there are people who identify as being in sex work as a choice. We fully understand the reasons and realities behind that notion of choice. We only have to look at this through a trauma-informed lens to see how little of a choice it actually is.

The idea being put forth, that police are not safe and people are not reporting out of fear of arrest, is not reflective of what I see happening. Instead of moving forward to foster better relationships with the police, courts, and others, the pro-sex movement continues to reinforce the same ideas that our traffickers did: that police are not to be trusted and that we ourselves will be thrown in jail if we go to them, and that if we go to the police because we are worried about someone else's safety or to make a report about being beaten or raped by a purchaser or trafficker, we will not receive help. If as much energy and resources were used in providing trauma-informed practice to all law enforcement, judges, lawyers, and so on, we could see a real shift in how victims reach out for help.

Education is the key. If we have a bad interaction within the system that is meant to help us, we can choose to deal with that in a constructive manner. We simply do not feed people's fears to push forward our own agendas. I have had both negative and positive experiences with law enforcement and the justice system. I use both now to help educate on how we could better help victims of human trafficking. Unless we work on mending these broken relationships, no change in law or policy will be helpful to either side.

The tactics of the pro-sex movement have been to keep these issues very blurred. All too often we will hear them speak very clearly and concisely, tying everything together so well that it would be hard to imagine that their messaging is harmful. Then we hear from a survivor, and their story is painful to listen to. They talk about things that make us want to leave the room or make us very uncomfortable in our seats. We start to tune out their pain because it might just be too much. They may even trigger something out of your own experience. It inherently will make people feel better about the pain and suffering from survivors if they believe we are in the minority and the majority are making a choice. As a survivor, I feel they are gaining headway because of this. That is something that's within our control to stop.

● (1620)

Stop for a moment and try not to make everyone and ourselves feel good about the abuse and trauma of women and children in the sex trade. The stigma of people in the sex trade, lack of proper health care, poverty, and homelessness are not easy things to endure, but these do not murder, beat, or rape people in the sex trade. Men who purchase them do. There is no screening tool to weed these people out. There is no level of safety to achieve that would prevent this from happening. If there were, why would we not have already applied that process to every other aspect of life that a women has to endure to prevent herself from being murdered or raped?

When you think about survivors being involved at every level, you need to know that there can be absolutely nothing about us without us. There is an idea out there that people will re-exploit or harm us if they ask us to speak about our experiences. There is a difference between tokenism of people with lived experience and consulting us on the work that is being done. There are things about working with this population that you will never learn in school or in any on-the-job training. I have been told many times that the rooms are not safe for people with lived experience, that somehow we cannot act professionally when sitting at the table, that speaking of our experiences will be something that we or even the audience cannot handle.

I have dealt with some of the lowest forms of life while being trafficked, often several times a night. I have kept myself alive and intact. If you tell me that I cannot handle difficult conversations or the other people at the table, you are diminishing my abilities and denying me the opportunity to learn. I have been doing this work for over 10 years. Not once has a presentation, a conversation, or a training I have delivered been near as traumatic as being trafficked. Were there times when I found it difficult or wanted to give up? Sure. However, as survivors, we have some pretty amazing skills, and when mentored and guided, we can be an invaluable asset to any organization doing this work. If you can help us come together, build on each other's strengths, and overcome our struggles, you will be amazed at what you might learn from us.

A couple of months ago, I was asked by CBC to participate in a series that it was doing about sexual exploitation. CBC wanted me to tell some of my story and talk about the work that I am currently doing. When I sat down with the reporter, she started to talk about an interview that was done 25 years ago with a young girl who had been exploited and whose pimp had been arrested and convicted. The more she spoke about the interview, I knew she was talking about me.

On the last day that I had testified in court against my pimp in the early 1990s, a reporter had interviewed me. The current reporter offered to let me view the old interview in hopes to use some of it for her current piece. Twenty-five years later, I sat watching myself at 18 speak about what had happened to me. One of the questions the original interviewer asked was, "Why did you stay with him for so long?" The answer I gave was unexpected to the now 42-year-old woman I am today. "I just wanted him to love me," was my response.

Today I know and speak about the level of violence there was, the manipulation, the control, how he filled all my needs, how he walked into a bar and told me I had the most beautiful eyes he had ever seen and I thought instantly that he loved me. When you ask why people do not just leave, why we go back multiple times when you feel you have rescued and saved us, or how someone could even make us do the things we do, I want you to remember those words. It's not about choice. It's actually about having no choice, being desperate to belong, and someone taking advantage of those vulnerabilities and profiting from them. That is human trafficking.

Thanks.

● (1625)

Ms. Ellie Jones (Director of Programming, Thrive): Thank you for giving us the time to speak. I want to speak a little bit about Thrive and Blue Door.

Thrive is the umbrella organization under which Blue Door falls. We provide street-based outreach, needle exchange, an education program for young people who haven't finished school, and a number of other services around housing and mental health.

Blue Door is one of our programs. It's an exiting program. Those programs look different all across the country, so I can only speak to what our current experience is in the model we're using.

I think it's really important to highlight that at Thrive we understand that the issue of the sex trade and exiting can be one that is complex and very specific to each individual. Within Blue Door, participants only need the desire to make a change in their lives. They're often self-referred, not professionally referred. They're folks who are choosing to not earn money the way they are currently.

Folks who are part of Blue Door are engaged in a range of sex trade activities. Some are no longer involved in the sex trade and others are navigating and balancing the need to work in the sex trade with their desire to have a different kind of life.

It's important to emphasize that within Blue Door we understand that choices are not made in a vacuum but rather within the community and the context and experiences that one has had. A choice that is made out of financial duress and social inequity needs to be considered constrained at best.

However, for all participants in our program, there is a common theme. Folks in Blue Door identify as having some form of trauma. People over the age of 18 in the program were all groomed and exploited prior to their 18th birthday. Some speak very openly about moving between the sex trade as a choice and the sex trade as a form of exploitation, noting that they are not often the same thing together.

What is clear is that the risk of exploitation of people is greatly increased when taking into account factors related to poverty, mental health, and addiction. Family breakdown and a lack of connection and belonging further increase that risk. The demand within the sex trade for young women in particular puts adolescents at high risk for being groomed and lured by men who promote themselves as boyfriends or father figures and by women who pose as sisters and family.

In recognizing that choices made by people involved in the sex trade are constrained, Blue Door emphasizes the need for the creation of community and connection. Concrete supports for participants have been put in place to broaden the options that are available for people who come to Blue Door. This includes the choice to be involved in therapy, group activities, education, and employment counselling.

People who come to Blue Door are able to pick and choose the level of support they require. We've supported women to complete their GED, to apply to post-secondary, to access counselling, and to navigate child protection services, housing, and other similar things. People can participate in all the groups or no groups. It's really about what the person needs, not what we as a program might define that they need. We don't believe that people need to be saved. We do believe that they need to be heard and that they need to be supported.

We cannot hope to change the reality of exploitation for people if the significant systemic inequities that exist in our society are not addressed. Systems do need to do a better job at protecting children, ensuring that education is a right that all people receive, and recognizing that the selling of the bodies of children is child abuse. It's not adolescent sex work.

In working with exploited people as well as those who are exploiters, we have come to understand that the paths that lead to the experiences of both are not that different. Those who exploit others are also people who have experienced long-term inequity within the education and justice systems, as well as systemic poverty and access to resources.

One of the most stressful parts of this work, oddly enough, is not the support of survivors. It's the tense political tightrope that we're all walking in trying to respect the experiences and voices of people within the sex trade. The debate between legalization and decriminalization for sellers, purchasers, and suppliers has become so inflamed that the voices of many people impacted have been drowned out. Many times, individuals who are currently in the sex trade are are pitted against the survivor community or vice versa.

In looking at the research into the sex trade, one can find evidence that supports almost any position one wishes to take, from the wholesale support of legalization of the sex trade to decriminalization models. However, one thing is clear, and that's that the experience of trauma among sex workers is a common theme. It is important to remember that the voices of the most vulnerable people are often the quietest. People experiencing exploitation have the least access to channels of advocacy, and it's often not until there's significant healing that their stories are heard.

● (1630)

Decisions that are made from a legislative perspective must take into account the stories of survivors to ensure a maximum guarantee of safety for everyone. The contexts in which people end up in the sex trade, regardless of whether it is a choice or exploitation, are often the same. A lack of resources, education, or housing, along with childhood abuse, neglect, toxic stress, and colonialism, all at an intersection with mental health and addiction issues can lead people to the sex trade. If we want to provide protection for people at risk of exploitation, we must consider those factors that put them at risk in the first place.

The Chair: Thank you very much.

Now we'll move to Tungasuvvingat Inuit, and Ms. Wilson.

Ms. Jennisha Wilson (Manager, Alluriarniq Department: Sex Work, Exiting the Sex Trade and Anti-Human Trafficking Projects, Tungasuvvingat Inuit): Thank you for having us here today. I also want to extend a special thank you to the Inuit community that lives in the southern provinces for always informing the work we do and consulting with us.

My name is Jennisha Wilson. With me is Kathy Morgan, who is the president of our board of directors at Tungasuvvingat Inuit. I am the manager for our programs related to sex work, exiting the sex trade, and anti-human trafficking.

Tungasuvvingat Inuit is a provincially mandated Inuit-specific organization that supports Inuit who live outside of Inuit Nunangat, which, if folks don't know, is the land claim region. TI provides support to Inuit at all stages of their life, from prenatal to elder years, through front-line programming, systems navigation, multisectoral advocacy, and policy development. With 30 years of experience supporting Inuit in southern Canada, TI has been able to understand, assess, and advocate regarding the needs and aspirations of southern Inuit.

On a national level, there are over 60,000 Inuit in Canada. Comparative statistics from 2006 to 2011 inform us that there is growing trend of Inuit resettling in southern Canadian provinces, such as Ontario, with an estimated 30% of the national total residing outside of the land claim regions. On a provincial level, Ontario is home to 10,000 Inuit, and Ottawa is home to about 6,000 on any given day, give or take people migrating to and from.

Migration patterns can be attributed to many push and pull factors, such as poverty, medical care needs, mental health and addiction supports, foster care relocation, incarceration, visiting family, personal choice, and attainment of post-secondary education. Migration patterns are significant to the conversation of human trafficking because Inuk victims of trafficking are suggestively higher in occurrence when they arrive in southern provinces such as Ontario. In our program alone, which has been operating for about a year now with dedicated funding, we work with approximately 25 community members who have a history of being trafficked in some capacity and who are now either working as survival sex workers and/or dealing with their own particular journey around looking to exit being trafficked through labour and/or being solicited for trafficking.

Trafficking of Inuit in Canada is a lived reality for many. However, human trafficking as a concept is foreign to Inuit. There is no translatable word in Inuktitut, which is a native tongue, for human trafficking. However, that fact does not discount the reality that many Inuit men, women, boys, and girls are exploited sexually for forced labour and solicited because they are at risk or vulnerable. Despite this lived reality of Inuit, many find it difficult to believe that this happens in Canada and that it happens so often.

If it is our goal to understand how we can better support victims of human trafficking, specifically those who are Inuk, and we must come to this work with the perspective that history plays a significant role in shaping vulnerability and patterns of abuse. The colonial experience of Inuit is often characterized as rapid and recent, and we work with individuals who have literally gone from living in igloos to owning microwaves. Within their lifetimes, they have experienced an entire colonial process. That has also facilitated the normalization processes that are inherent to human trafficking, such as grooming, recruitment, transportation, control, and harbouring of Inuit.

Drawing from the colonial history of Canada with Inuit, I will provide just a few examples from a very long list to display how it is normal for Inuit to not understand that they're being trafficked when they actually are.

Forced relocation of Inuit from northern Quebec to the high Arctic, which is now known as as Nunavut, was a process put in place to ensure Arctic sovereignty. Inuit were lured with the understanding that they would be able to go home after two years of being there and were promised that they would be provided with supports from the government. This was not the case. Many folks endured experiences of very high climate changes and lack of economic support with regard to food and shelter. Also, relocation was often very messy. Folks were separated from their families and loved ones. I know individuals on the ground today who are still impacted by this forced relocation.

There were dog slaughters. If folks are familiar with Inuit culture and history, they'll know about using a dog team to go to and from hunting grounds. As well, the lay of the land was very important for self-sufficiency and for access to traditional hunting practices. This was a colonial strategy to slaughter all the dogs. It was put in place by the federal government and executed by the RCMP. It led to a lot of Inuit having to forcibly transition to western, permanent community trading-post styles of accessing food and resources.

● (1635)

The great artist Napachie Pootoogook, who is also the mother of the late artist Annie Pootoogook, who was Ottawa-based and who passed away in 2016, drew about this in her lifetime and talked about the common things that she saw in her everyday life. She saw a woman being traded by an Inuk man to an RCMP officer in exchange for life-sustaining resources.

The human zoo of 1880 is another example. There is a documentary about the human zoo, which I encourage everyone to go see. In it, eight Inuk from Labrador were taken to Europe, lured by false promises of wealth and adventure. They were put on display for Europeans to see what it was like to be a traditional Inuk. They died within a year of being on display.

These are just a few examples from history. There are so many more than I can unpack to talk about how Inuit have been groomed and taken advantage of. It has been normalized in history and continues to be normalized. These processes still impact Inuit today through intergenerational trauma, learned behaviour, fragmentation of Inuit society and families, and the creation of poverty and vulnerability. I say that, and I also say that Inuit are incredibly resilient at the same time.

I'll end my conversation piece with the question of how we move forward in a meaningful way. For Inuk victims of human trafficking trauma, racism, discrimination, and lack of socio-economic wealth create a context that is perfect for exploitation. History also supports that.

Within the work that we do at TI, we notice that the individuals who are trafficked the most are Inuk men who are traditional carvers and also have mental health and addiction issues, Inuk women who are living under the poverty line and are often lured into sex trafficking, and Inuk youth who are in care or forcibly relocated to the south with no social or family connections. These youth are often actively sought out by traffickers.

With that said, solutions to human trafficking require multi-dimensional approaches. In other words, Inuk victims who come forward with their experiences need to be assured, when they're working with individuals who are in the realm of social services and who look to support them, that those individuals are informed and know the history of Inuit. That's really important because you can't actually support healing unless you know the history of a people, and the Inuit experience is different from the first nations' experience and from the Métis' experience. Social services workers also need to be equipped to provide a trauma-informed and culturally based perspective and work.

This speaks to the need for sustainable funding for Inuit-specific community-led programming and investment in culturally based programs to healing. Equally important, we've noticed in the programs that we offer that it takes victims seven tries to exit a trafficking experience, potentially even more. The barriers to exiting include the lack of assurance that there is sustainable funding for them to exit, a lack of housing, and a lack of access to economic opportunities that do not include, for example, engaging in sex work after being trafficked, as well as concerns about safety, security, and meaningful access to community. Programming has to cover the basic needs of victims, but it must also ensure that they are connected to culture, because you can't heal without cultural supports.

With regard to awareness and education, Inuk are very different from other indigenous groups, and it's really important in the work that we do at TI that we take an approach to human trafficking based on an Inuit perspective. We are funded until January 2019 to create a community response framework to human trafficking. The importance of this framework is to support not only victims of trafficking but also individuals who might be from a community and end up being traffickers. There's a need for reconciliation, which, unfortunately, mainstream and other approaches to human trafficking are not taking into consideration. If they are, it's from a pan-indigenous perspective, which equally underserves the community.

With that in mind, I just want to say thank you. I look forward to any questions folks might have.

● (1640)

The Chair: To all the witnesses, thank you very much for your testimony.

We're now going to a round of questions. We're going to start with Ms. Rempel.

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Thank you, Mr. Chair.

Thank you, all, for your testimony. It was very enlightening and I just want to thank you for the work that you're doing.

My role in Parliament is the official opposition critic for citizenship and immigration, so I might ask some questions in relation to immigration policy as it intersects with this particular topic.

The federal government at this point in time is undertaking a review of its visa framework. In the last year, we've seen the government lift visa requirements for certain countries without going through the process of a formal review. The government will argue that this is because of tourism or in relation to the negotiation of a trade agreement, but a few of the countries that have had visa requirements lifted from them are countries where we know there are high instances of human trafficking. Romania is one of the countries of interest to me, and certainly Mexico as well, but Romania is a country that has incidents of this.

This morning in committee, I found out that in 2017 we had seen about 160 or so asylum claims come from Romania. Since the visa was lifted in December 2017 to now, so in a six-month period, we've seen over 1,000 claims being made. We've seen increased incidents of trafficking rings from these countries.

I would like to get any thoughts from those of you who have expertise in this area. The comments were made around immigration policy, and thankfully, Canada isn't the United States. As this visa framework is being implemented, do you have any advice for the government in terms of what criteria should be looked at when considering whether or not a country should have a visa imposed upon it or lifted as it relates to incidents of human trafficking?

Perhaps, given the silence, I'll clarify. We imposed a visa on Romania in 2014. Part of the reason for this was a concern around human trafficking. Part of imposing a visa on a country is you are telling the country it needs to do certain things in order to have access into our country. It's actually a carrot—or a bit of a stick, I would say—to ensure there are steps in place so that women aren't being trafficked out of the country.

I'm wondering if there are any thoughts on best practices for this, because Canada does have a role to play in terms of this type of policy from an international perspective.

Prof. Julie Kaye: I can speak to the context you're talking about in terms of the visa restrictions that were placed in 2014. Part of the challenge with this is that there really is also the combined possibilities of criminalizing those who are potentially trafficked or who are vulnerable to trafficking or who are victimized otherwise.

With Romania, I know there was a pretty large-scale case at that time that was touted throughout the media of labour trafficking that had taken place. Through that, there weren't any of the protections that need to be in place from a human rights standpoint, and that did actually result in some deportations of family members and others who were victimized by trafficking.

Part of the best practices around anything in relation to visas in that context is to ensure that we're not being restrictive in the case of trying to exclude people from being able to come in, while also seeing that when people are victimized, they're not deported and criminalized for coming forward or for being involved in testifying, even.

● (1645)

Hon. Michelle Rempel: To clarify, I would characterize the visa in that situation as a preventative mechanism to ensure that women aren't being exported from a country into a situation they might not be able to extract themselves from given resources.

Would you agree with that characterization, being cognizant of some of your concerns, that the visa could be used as a tool to prevent extraction where we know there are organized efforts around trafficking?

Prof. Julie Kaye: I think that type of preventative measure too often falls towards a restrictive measure. The effort to prevent actually creates a context where people who may be able to migrate or travel or move away from some of the risks that would put them at risk of trafficking are restricted from being able to do so, as well.

Hon. Michelle Rempel: Just to clarify, in terms of somebody who is having their travel paid for by somebody to come to the country to be brought into trafficking, I would want to restrict that travel. I wouldn't want that woman to be in that situation. Would you share that opinion?

Prof. Julie Kaye: I think there are third party agreements that are made often that aren't exploitative, so I think there's caution to be had around it.

Hon. Michelle Rempel: Like what?

Prof. Julie Kaye: There are third party arrangements that take place, a number of which have been criminalized, in terms of organizing travel and relying on supports to travel, and relying on family members at times to support travel. That can be taking place. We also see, particularly from countries facing economic challenges, a wanting to move towards Canada, and the reliance on remittance payments at times: families will support somebody to travel in order to support the whole family network, which we often can call trafficking—

Hon. Michelle Rempel: I apologize, but just in the interests of time—

The Chair: A short last question, please.

Hon. Michelle Rempel: Just to be clear, I'm looking specifically at criteria that the government should be looking at in terms of imposing a visa to ensure that women aren't trafficked out of the country. I really haven't heard a recommendation on that.

Prof. Julie Kaye: Yes, I'm suggesting that type of criteria becomes too restrictive. That actually proves harmful rather than preventative, as you're suggesting.

The Chair: Thank you.

Mr. Boissonnault.

Mr. Randy Boissonnault (Edmonton Centre, Lib.): Thanks, Mr. Chair, and thanks to all of you for your testimony.

As members of this panel travelling the country and listening to witnesses, we've learned that there are not just different schools of thought but different schools of experience, and it's challenging to build a bridge between the solitudes. That's our challenge as policy-makers.

You know that there are two different definitions, one in the United Nations world and one in the Criminal Code here in Canada, the big difference being the fear for safety element in our Criminal Code definition here in Canada. I'm interested in knowing which definition you prefer, the more broad or the more narrow, and why. Based on the people you define as victims of human trafficking, what do we as government need to do to curb it or stop it, and how do we best help and support victims?

I have maybe a minute and a quarter for each group, so who wants to start from Peers Victoria?

Dr. Rachel Phillips: I'll start.

On preventing trafficking and addressing trafficking, we don't have a lot of experience in working with people who identify as being trafficked in the context of the sex industry. In the last year, we've served two people. Both of those individuals came from outside the region, and what they required in terms of immediate supports were housing subsidies, access to social groups, and, because they were in new cities, people who could help them access health care.

In terms of preventing, I think some of those practical kinds of supports need to be available for people who have experienced trafficking.

Mr. Randy Boissonnault: That's helpful—and on time.

Dr. van der Meulen.

Prof. Emily van der Meulen: Your question is about which definition we pick up, the United Nations' one or the Criminal Code's. I would suggest, in fact, that the issue is less about the written legal definition of human trafficking as it's set out in the Criminal Code and more about the way that it's overly broadly applied within the community context, and then who is being harmed as a result.

Police services say they rely on the Criminal Code definition, but in practice what they're doing is interpreting that in, I would suggest, much, much too broad a way, and then capturing all sorts of individuals and instances that I wouldn't think actually meet the threshold of human trafficking itself. You can see that more now in the lack of convictions as well.

I think TI had a fantastic presentation, actually implicating the state itself as a trafficker, right—

● (1650)

Mr. Randy Boissonnault: How do we stop the people you think are being trafficked, and how do we help the people that are?

Prof. Emily van der Meulen: Could you say that again?

Mr. Randy Boissonnault: How do we stop human trafficking as you define it?

Prof. Emily van der Meulen: Well, I think part of the way you would do that is by actually acknowledging the types of harms that actually occur by the definitions of human trafficking and seeing what types of activities are being targeted in human trafficking legislation, versus what types of activities could be dealt with much more appropriately under other pieces of policy or different pieces of legislation.

In the sex trade, for example, which is the context that most people are talking about here, labour law and policy, employment standards, Workplace Safety and Insurance Boards.... There are lots of different ways that we can actually try to address things like unfair labour practices and labour exploitation.

Mr. Randy Boissonnault: I'm glad you raised that last point, because we heard from Migrante Alberta and from other people around the country. There was a balance in the presentations of the amount of people who are being labour-trafficked or trafficked for the purposes of labour along our study, and I think that was very important.

I was shocked and saddened to learn about family trafficking. That came up in Edmonton. It broke my heart and continues to.

I want this stopped. I want it ended. I'm a little frustrated by endless debate about the root causes. I want to know the actions moving forward. If we could have your collective brainpower, even in follow-up memos, as to what we actually need to do as opposed to how we got here, that would be really helpful.

Julie.

Prof. Julie Kaye: I don't see what we need to do as disconnected from how we got here, so that is partly why it's so important to consider that.

We've been talking about what's taking place on the front lines. As the witness from Peers mentioned, some of the missing voices and some of the people we aren't able to hear from, who are currently living, resisting, and surviving within these contexts, are not consumed with this debate. Just so you know, most people who are living in the reality are consumed with ensuring they have safety. They're consumed with the fact that they were harassed by the police last night. They're consumed with all the different safety mechanisms they are working on in their day-to-day lives.

It's about supporting individuals within the context in which they're living and within the spectrum of contexts, so I'm not opposed to having exit organizations. It's absolutely necessary for people to have as many choices as possible within constrained circumstances. Within that, we need to not erase or trample over individuals who are further harmed by the laws we have in place, so we need to have some forms of decriminalization to ensure that they're not over-policed and harassed in those ways.

Mr. Randy Boissonnault: Thank you. I have to pause you there.

Ms. Jones and Ms. Muise, you have a minute between the two of you.

Ms. Ellie Jones: I would say the folks we're working with are consumed by how they're going to get their next meal, to be honest. They're not consumed with this debate, because they're hungry. We work with a lot of folks engaged in survival sex. In terms of trafficking, we have intraprovincial trafficking. Within Newfoundland and Labrador, folks are being moved from Labrador to St. John's; they're being moved from Corner Brook, Stephenville, the central region, or what have you.

From our perspective, if we were to suggest what to change right away, starting tomorrow, it would be to have a decent living minimum wage, to have much easier access to affordable housing, to keep our families intact instead of overloading our child protection systems and foster homes, to have trauma-informed services that understand toxic stress, and to address the education needs of young people, ensuring that they have basic literacy and numeracy. Those are the things I would suggest.

Mr. Randy Boissonnault: It would be a systemic approach.

Ms. Ellie Jones: Yes.

Mr. Randy Boissonnault: TI, you have one minute.

Ms. Jennisha Wilson: If we're talking about the needs of individuals, I'm hearing on the ground every single day that we should address poverty. Poverty is the number one thing, and housing is the second thing on the list.

In terms of approaches and definitions, it's not even about the definition, it's about how a community wants to be perceived and understood. A lot of what I said was about what a community wants in that definition. Along with that is awareness of the history and of what people are bringing to the table when they're looking for supports, and also empowering the community to make the change it needs to help itself. In other words, it means investing in the community organizations and grassroots community members who are doing this work in the trenches and supporting victims, and who are victims themselves.

Mr. Randy Boissonnault: These are great arguments for capacity building.

Ms. Muise, thank you for your testimony. It was particularly moving.

The Chair: Thank you so much, everyone.

Mr. MacGregor.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you, Chair. It looks like I'm going to get in just under the wire here.

Witnesses, thank you for your testimony today. It's very enlightening and illuminating.

I'll start with Peers Victoria, with Ms. Forbes and Ms. Phillips.

I'm here replacing Murray Rankin, who is the member of Parliament for Victoria. He had a few questions that he wanted me to go over with you, because it's a community that he represents and is very familiar with.

When you hear someone say that selling sex is an inherent form of gender violence, how do you respond to that? At committee we've heard from previous witnesses who say there's a disparity in power between those who are purchasing sex and those who are selling it, and that it's exploitative by nature. What does Peers say about that?

● (1655)

Dr. Rachel Phillips: It's a very reductive simplification of what goes on in the sex industry. It's very unusual to me to think that we could impose a definition of gendered inequality on a population that they would uniformly agree with. I find this infantilizing, and it is actually in opposition to the very notion of gender equality.

If there are people in the sex industry or trade who do not see themselves as exploited and who feel that they're exercising bodily autonomy, then it's imperative we listen to that. It's not the experience of everybody. There is a wide variety, but we have to respect that variety of experience and perspective. That is gender equity.

Mr. Alistair MacGregor: In your opening statement, you did mention some of the relationships and history in dealing with police services. Can you talk a little bit more about that?

What kind of strategies have you used in Victoria to ensure that women are safe? How can front-line organizations like yours support police initiatives, and vice-versa, how can police best support front-line organizations such as yours?

Dr. Rachel Phillips: The starting place for our community partnerships is that we don't have active enforcement of PCEPA in particular. Trafficking legislation would be used where people experience, identify, or have convincing evidence of trafficking. I don't think it's used very much at all. We're talking probably less than five cases in maybe the last 15 years. It's about setting a stage where people don't have to worry about police harassment because they're in the sex industry and who don't have to worry about invasive raid techniques and things like that. From there, we work with two officers who are specifically trained in the sex industry and who specifically understand our philosophy.

It's very incremental work we've been doing over many years. The antagonism, I guess, that's been set up by criminalization between people in the sex industry and police is multi-generational and of long standing. We do a lot of work in terms of relationship-building. Our liaison officers spend a lot of time doing training at Peers. They absolutely have to respect the perspectives of the people who are coming forward. We work with them in staff training and in multiple areas.

We also enjoy relationships with the sexual assault centre, the intercultural association, the Victoria Immigrant and Refugee Centre Society, and the native friendship centre. In doing that, I think it's important that we're all looking at the factors that influence gender and sexualized violence in our community. They're not especially different for people in the sex industry. What's different for people in the sex industry is that they are uniquely stigmatized and are not granted the basic premise that they should be able to identify and have rights over their experience of victimization.

Those are some of the things that I think are unique to the work we're doing to address sexualized violence. We do not see sex work or the sex trade as necessarily inherently violent, but we do want to address sexualized violence.

Mr. Alistair MacGregor: Thank you.

I have a publication here from the Canadian Alliance for Sex Work Law Reform. They asked a series of questions and then provided their own answers. One of the questions was this: "If we decriminalize sex work, will Canada become a haven for sex tourism and exploited/trafficked women?" Right off the bat, this was the answer: "Decriminalization of sex work does not mean increased trafficking in women."

Do you have a comment on that particular statement?

Dr. Rachel Phillips: Well, I mean, we live in a context where there hasn't been active criminalization. I would say the sex industry has not changed much at all, in shape or form, over the last 20 years. We have the same number of people we're serving and the same number of agencies in town. In fact, we probably see fewer people on the street than was the case 20 years ago. Our own local context is one where criminalization under the law doesn't seem to be shaping the size or nature of the sex industry.

In terms of trafficking, if we look across internationally at places where they take more restrictive laws against the sex trade versus more permissive, I don't know that it's necessarily clear that the law actually shapes the size of the sex industry. I think there are probably more important social factors at play in terms of poverty, proximity, and migration patterns.

I don't see decriminalization as necessarily giving rise to much change in terms of the sex industry in Canada.

● (1700)

Mr. Alistair MacGregor: Thank you.

The Chair: Mr. McLeod.

Mr. Michael McLeod (Northwest Territories, Lib.): Thank you, Mr. Chair.

Thank you to the committee for undertaking this important study.

Thank you to all the witnesses who spoke here today. It's a very, very difficult subject to talk about.

I represent the Northwest Territories. I was glad to hear from some people that we're talking about issues in the north. Human trafficking is not a highly visible problem in the north. It exists, but it's below the surface, for the most part. Most people have to come to the south to get trapped into this whole nightmare.

We have a lot of issues in our communities. My riding is over 50% indigenous, and a lot of our youth have real challenges because now they have to live in two societies. They have to try to live in an indigenous society and also the modern world. It really causes a lot of problems in the communities, so we've started to see out-migration. We've really noticed the numbers increase over the last while with our youth going into regional centres to get away from the challenges in our communities. We have many, and many were raised here today: housing, lack of opportunities, and abuse. We have a lot of abuse. We have a lot of sexual abuse. We have a lot of residential school fallout and cultural disconnect. All these things are compounding the stress that's placed on our youth.

We've had a lot of studies happen in the last while. We've had the Truth and Reconciliation Commission, which came out with a bunch of recommendations. I personally sat on the indigenous affairs committee which studied suicide in indigenous communities, and saw that many of the issues we're talking about here, which are causing despair in our communities, are resulting in suicide. In my riding, we had three suicides last week. One was one of my friend's sons. It's difficult. It's really a difficult issue to have ongoing, having to deal with this whole crisis that's happening.

We've had the Truth and Reconciliation Commission's report with recommendations and the suicide study that the committee did, and there were recommendations. The murdered and missing indigenous women and girls study will have recommendations, but there's starting to be a pattern. The recommendations are all becoming similar, and they are pointing to issues that are deep-rooted in our communities.

I know that maybe some of you don't deal with indigenous people, but I'm wondering if there are any of you who have recommendations that this committee should really consider that maybe are not part of what we're hearing with all the other studies, or if there's just something that is very important that you need to raise. I'm wondering, is there anything specific to indigenous people that you can recommend to try to deal with this issue?

The Chair: Are you referring that one to TI first?

Mr. Michael McLeod: I want to hear from as many as I can.

Ms. Jennisha Wilson: I can start.

In terms of recommendations, a lot of the things we're seeing on the ground right now are because there's a lack of conversation happening around human trafficking. Historical events and experiences, even sexual abuse and suicide, are all things that are definitely interconnected and interwoven. I think that a starting place, something we do a lot with our youth here, is having these conversations. They're real conversations that their parents and elders will not have with them about what trafficking looks like, how being on the Internet and someone's buying your ticket to come down south is potentially your being groomed to be trafficked or lured to be trafficked.

My strongest recommendation is to have youth be peer leaders and champions in their own right to have those conversations with adults and elders. That conversation's not happening beyond them right now.

● (1705)

Mr. Michael McLeod: Thank you.

The Chair: Are there other recommendations, folks?

Mr. Michael McLeod: I'm really interested in hearing from Julie. Could I get Julie to answer?

Prof. Julie Kaye: Sure. I also sit on the legal strategy coalition on violence against indigenous women, and we just submitted a report following the recent UN review. One thing we indicated in that was that there was a study done of the number of recommendations that have already been advanced. Fifty-six reports were reviewed, and we have over 700 recommendations. It was analyzed as to how many of those recommendations have been fully implemented, and there were very few, under a handful.

I would suggest that you're correct in that we do have a significant body of recommendations that have gone unaddressed within these areas, and they do intersect quite heavily, overlapping from the experiences of missing and murdered indigenous women and targeted violence within this context of colonial gender violence. Looking to those recommendations and moving forward towards implementing them will encompass a number of the solutions that have been discussed, and they overlap with what is being recommended.

In terms of your question around what we do, well, we have 700 recommendations there and a number of violations of international law that we continue to not address. Starting that as a starting point would be a very wise decision.

The Chair: Thank you very much. We're almost out of time. Does any member have a brief question they want to ask that they didn't get at?

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): It's not a brief question.

The Chair: Okay. I would like to thank all of the members of the panel. It was very much appreciated to hear from all of you today. I thank you for joining us from Victoria. Thank you to those who came to Ottawa to meet with us here. I wish you all a wonderful night and a wonderful week-end.

The meeting is adjourned.

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